



This language means that if the Petitioner has any evidence to offer to show that there is a genuine issue for trial, he must now present it to the Court in a form which would otherwise be admissible at trial, that is, in the form of affidavits or unsworn declarations. An affidavit is a written statement under oath; in other words, a statement prepared in writing and sworn before a notary public. An unsworn statement, made and signed under the penalty of perjury, may also be submitted.

Affidavits or statements must be presented by the Petitioner to this Court within thirty (30) days from the date of this Order. As stated by Rule 56(e), Petitioner's failure to respond may result in the action being summarily dismissed.

**IT IS, THEREFORE, ORDERED** that the Petitioner is allowed thirty (30) days from the date this Order is filed within which to respond, in accordance with the provisions of Fed. R. Civ. P. 56(e), to Respondent's motion for summary judgment.

Signed: August 2, 2007

\_\_\_\_\_

Dennis L. Howell  
United States Magistrate Judge

